



METROPOLITAN
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COMMISSION

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Memorandum

TO: TransLink[®] Management Group

DATE: April 21, 2010

FR: Kimpreet Puar

RE: Title VI Review of Resolution 3866 Fare Media Transitions

In order to maintain compliance with Title VI of the Civil Rights Act of 1964, MTC must ensure that the TransLink[®] program's actions do not adversely impact low-income, minority, and limited English proficient populations, who are protected under the Act. On February 24, 2010, MTC approved Resolution 3866, which requires transit operators to transition approximately 34 paper fare products to TransLink[®]-only availability. Although MTC is a Metropolitan Planning Organization operating a smart card program, and consequently the FTA requirements to which the program's held are different than those applicable to transit operators, some of the issues associated with mandating the change of fare instrument from paper products to TransLink[®] could be construed as a fare or service change. Examples of potential issues are the \$5 card acquisition fee and changing locations and types of access to purchase fare products. As such, MTC has asked Booz Allen Hamilton to perform a Title VI assessment of the impacts of each of the fare media transitions mandated by the Resolution.

In the past, MTC has undertaken informal efforts to identify and minimize the impacts of TransLink[®] usage on the protected communities cited above. For example, in 2003 TransLink[®] staff performed an analysis of low-income communities lacking transactional bank accounts, or the "unbanked", in order to determine where to situate third party distribution sites of TransLink[®] products and value. While this planning study was significant, the mandatory transitioning of fare media to TransLink[®] as called for in the Resolution suggests that a formal review is now necessary.

Booz Allen Hamilton has been engaged to conduct this review with the assistance of a subconsultant with subject matter expertise. The capabilities sought in the successful subconsultant were: a solid understanding of Title VI issues and their application in the transit environment; the ability to perform intensive data analysis; experience working with transit operators and the riding public; and the overall project management skills required to organize a multi-operator, phased fare media study. Booz Allen Hamilton contacted six firms with this expertise, received responses from three of them, and two were interviewed. Based on this process, Booz Allen Hamilton recommends Milligan and Company to conduct the assessments. Milligan and Company has extensive experience in reviewing Title VI assessments on behalf of the FTA and, as such, is extremely familiar with FTA regulations and expectations. More significantly, over the course of reviewing transit operators' Title VI assessments, Milligan and

Company has actively mentored the operators to bring them into compliance with FTA regulations.

The complete scope of work is yet to be formalized, but broadly, Milligan will be expected to: engage in data collection, particularly demographic data; perform the analysis of that data; identify any deficiencies in the implementation of the fare media transitions; and recommend mitigation efforts. As we finalize the task, we will recommend the appropriate approach for public outreach. Transit operators' roles are yet to be fully defined, but at a minimum, they are expected to provide data to Milligan, review preliminary findings, and participate in outreach activities. The operators are also welcome to utilize the results of Milligan's review to augment their own Title VI compliance documentation and reporting.

Please note that the approval for the contract amendment to support this work is under agenda item 10a.

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